

Message Text

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ORIGIN ARA-17

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FM SECSTATE WASHDC

TO AMCONSUL NASSAU

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E. O. 11652: GDS

TAGS: PFOR: BF

SUBJECT: PRE- IG REVIEW OF BAHAMAS CASP

1. PRE- IG MET AND REVIEWED BAHAMAS CASP ON MARCH 21. FOLLOWING MODIFICATIONS IN CASP WERE AGREED UPON BY PRE- IG MEMBERS. CASP WILL BE REVIEWED BY IG ON APRIL 18. WE WOULD APPRECIATE RECEIVING ANY COMMENTS ON CHANGES RECOMMENDED BY PRE- IG NO LATER THAN COB APRIL 10.

2. CASP ISSUE NO. 1. PRE- IG AGREED TO DEFER CONSIDERATION OF THIS ISSUE SINCE IG/ ARA APPROVED BAHAMAS OPTIONS PAPER WHICH REVIEWS QUESTION OF BASE AND OPERATING RIGHTS IS CURRENTLY BEING CONSIDERED BY HIGHEST LEVEL USG POLICY- MAKERS.

3. CASP ISSUE NO. 2 PRE- IG AGREED THAT PREFACE OF RECOMMENDATION SHOULD READ: " THE US SHOULD SEEK TO PREVENT RELATIONS BY THE GOBI WITH CUBA."

4. CASP ISSUE NO. 3: FOLLOWING REVISIONS WERE MADE IN WORDING OF ISSUE NO. 3 TO BRING WORDING OF BAHAMAS
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CASP INTO LINE WITH AGREED US LOS POSITIONS AND POLICY:

STATEMENT OF ISSUE - HOW SHOULD THE US PLAN TO DEAL WITH BAHAMIAN ADVOCACY OF THE ARCHIPELAGO THEORY SO THAT IT DOES NOT (A) INTERFERE WITH THE EXERCISE OF OUR BASE

RIGHTS (B) LIMIT OUR MILITARY ACCESS TO THE CARIBBEAN AND THE MOBILITY OF OUR STRATEGIC FORCES (C) ADVERSELY AFFECT OUR FISHING INDUSTRY AND (D) INTERFERE WITH US LAW OF THE SEA OBJECTIVES?

IMPORTANT ASSUMPTIONS

1. FOLLOWING INDEPENDENCE, THE GOBI WILL SEEK TO HAVE THE ARCHIPELAGO THEORY APPLIED IN DETERMINING ITS TERRITORIAL SEAS (AND PRESUMABLY THE AIR SPACE ABOVE THEM). IT WILL SEEK SUPPORT FOR THIS AT THE LOS CONFERENCE. ITS PRINCIPAL OBJECTIVE IS CONTROL OF NATURAL RESOURCES OF THE SEAS SURROUNDING THE BAHAMAS.

2. THE GOBI IS PREPARED TO GUARANTEE FREE PASSAGE TO FOREIGN VESSELS IN DESIGNATED SEA LANES THROUGHOUT THE ARCHIPELAGO.

3. THE U. S. AND OTHER MAJOR NAVAL AND MARITIME POWERS WILL NOT ACCEPT THE ARCHIPELAGO PRINCIPLE AS PRESENTLY CONCEIVED AND STATED BY THE BAHAMAS.

4. NEGOTIATED BASE RIGHTS AGREEMENTS WILL HAVE ANTICIPATED THE FOREGOING AND WILL INCLUDE PROVISIONS FOR NECESSARY BASE ACCESS AND OPERATING RIGHTS THROUGHOUT THE BAHAMAS.

ISSUE RESOLUTION

RECOMMENDATION: THE U. S. SHOULD MAKE CLEAR TO THE GOBI ITS FIRM OPPOSITION TO THE ARCHIPELAGO PRINCIPLE, IN PARTICULAR THE SERIOUS NAVIGATIONAL AND SECURITY PROBLEMS IT POSES. WE SHOULD SEEK THE COOPERATION OF OTHER MARITIME POWERS, PARTICULARLY THE BRITISH, IN DISCOURAGING ITS ADOPTION. WE SHOULD EXPRESS OUR UNDERSTANDING OF THE BAHAMIAN INTEREST IN THE RESOURCES OFF ITS COASTS, TRYING TO DIRECT BAHAMIAN ENERGIES IN THIS

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REGARD TO THE LAW OF THE SEA CONFERENCE SO THAT THE GOBI

CAN SECURE ITS ECONOMIC OBJECTIVES THROUGH INTERNATIONAL AGREEMENT. THE GOBI SHOULD BE SPECIFICALLY DISSUADED FROM TAKING ANY ACTIONS WITH RESPECT TO THE ARCHIPELAGO PRINCIPLE PRIOR TO THE CONFERENCE. IF THE GOBI SHOULD FORMALLY ADOPT THE PRINCIPLE, WE SHOULD PROTEST IT, IGNORE IT IN OUR ACTIVITIES IN THE BAHAMAS AND SEEK TO ISOLATE THE GOBI ON THIS ISSUE AT THE CONFERENCE.

REASONS FOR RECOMMENDATIONS:

1. GOBI ADOPTION OF THE ARCHIPELAGO PRINCIPLE WILL RESTRICT US BASE OPERATIONS IN THE BAHAMAS AND OUR NAVAL

AND AIR ACCESS TO THE BAHAMAS, ABSENT SPECIAL PROVISIONS IN OUR BASE AGREEMENTS PERMITTING FREE ACCESS AND PASSAGE. GOBI ADOPTION WOULD HARM OUR LAW OF THE SEA POSITION BY ENCOURAGING ADDITIONAL ARCHIPELAGO CLAIMS AND BY ITS TENDENCY TO LEGITIMIZE EARLIER ONES. THE RECOMMENDED POSITION MAY BE RESISTED BY THE GOBI; NEVERTHELESS WHATEVER DIFFICULTIES ARE CREATED BY OUR POSITION WILL BE LESS THAN THOSE CREATED BY ACCEDING TO THE GOBI POSITION.

2. THE GOBI CAN REALIZE ITS OBJECTIVES OF GAINING CONTROL OF MARINE ECONOMIC RESOURCES IN PART AND IN THE SHORT RUN BY A BILATERAL FISHERIES AGREEMENT WITH THE US AND IN THE LONG RUN THROUGH A SATISFACTORY ACCOMMODATION OF BAHAMIAN INTERESTS IN A COMPREHENSIVE LAW OF THE SEA TREATY. THIS WOULD BE CONSISTENT WITH US LOS POSITIONS AND OBJECTIVES.

ALTERNATIVE:

THE US COULD ACCEPT THE GOBI ARCHIPELAGO PRINCIPLE WITH ITS GUARANTEE OF FREE PASSAGE THROUGH DESIGNATED SEA LANES BUT THIS HAS BEEN REJECTED BECAUSE OF THE SERIOUS DIFFICULTIES NOTED ABOVE.

4. PRE- IG MEMBERS HIGHLY PRAISED EXCELLENCE OF CASP SUBMISSION, NOTING ITS COMPREHENSIVENESS AND CLARITY IN PINPOINTING PRINCIPAL ISSUES FACING USG IN IMMEDIATE POST- INDEPENDENCE PERIOD. ROGERS

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